MassDEP

Drinking Water Program
One Winter Street – 5th Floor; Boston, MA 02108
Program.Director-DWP@mass.gov or 617-292-5770

Drinking Water Program Updates 2019-08-30

This week's program director email has these topics of interest:

1. Back to School Means Checking for Lead
2. EPA Outline for Lead Service Line Replacements
3. PFAS Targeted Sampling
4. Consumer Confidence Report Compliance
5. Annual Statistical Report Compliance
6. New Form to notify DWP of the application of algaecides containing copper
7. Emergency Water Supply Planning Guide
8. Resilient Strategies Guide
9. Training - Workforce Planning and Water System Collaboration
10. Training - Managing your Water System into the Future
11. Trainings
12. Spam

Back to School Means Checking for Lead

As school starts, now is the time to think about important steps to minimize lead and copper levels in school drinking water. Many facilities were shut down for the summer or were operated under reduced schedules, resulting in decreased water use. When water is stagnant in building plumbing for long periods, lead or copper may leach into the water. There are steps to take to reduce the likelihood of elevated lead or copper levels in your drinking water.

Please go to: https://www.mass.gov/files/documents/2019/08/21/Lead%20Brochure%208-15.pdf to view the brochure.

This brochure is sent out to schools to gain their attention on lead in schools. It provides a reminder of the new lower federal recommended lead targets and a checklist of lead and copper mitigation strategies. There are links to resources available for schools to use.

EPA's Outline for Lead Service Line Replacements

State drinking water regulators have developed guidance on how to identify lead-containing drinking water service lines ahead of the release in the coming weeks of EPA's proposal to update its lead and copper rule (LCR) which is expected to require utilities to map the location of such pipes to help prioritize the most corrosive lines for replacement.

For more information please read the attached file from the *Inside Washington Publishers.*

Note:
There is a lead service line webinar from EPA -Webinar #3 on September 5, 2019 2:00-3:30.

This webinar series will showcase how states and public water systems have successfully identified lead service lines and shared that information with the public to raise awareness about the presence of lead service lines in their communities. It will also focus on the challenges faced by states and public water systems and how they addressed those challenges.

See attached flyer for more information and how to register.

PFAS

MassDEP Drinking Water Program has issued a revised analytical reporting form for PFAS. See https://www.mass.gov/doc/per-and-polyfluoroalkyl-substances-pfas-report/download.
Just a reminder, if you are voluntarily sampling your drinking water for PFAS compounds, for which there is a MassDEP Office of Research and Standards Guidelines, you are strongly reminded to report your results to your MassDEP regional office within 30 days of your receipt of the results and include the entire lab package with the QA/QC section.
As part of its ongoing work on PFAS in water, MassDEP is implementing a targeted sampling strategy for public water suppliers within 1-2 miles of a known or potential source of PFAS. This strategy involves water sampling by MassDEP, at no cost to the communities, of sources that have a high potential for contamination based on proximity to known PFAS sources or proximity to potential PFAS contaminated land use locations, such as airports. MassDEP has begun to contact identified PWS to inform them of the strategy and to encourage their voluntary participation. For more information on this targeted strategy contact program.director-dwp@mass.gov.

2019 Consumer Confidence Reporting Compliance

The July 1st deadline for community systems to submit their Consumer Confidence Reports (CCR) has passed. The vast majority of PWS delivered their CCRs on time. For this year's CCR there is a 98.1% compliance rate. That is quite an impressive rate. Out of 513 community systems 10 systems are receiving NONs; six delivered their CCR after the July first deadline, three did not submitted, and one had grossly inadequate reporting.

Reminder:
There are changes coming to the CCR rule. The America's Water Infrastructure Act (AWIA) of October 2018 can be found at: https://fas.org/sgp/crs/misc/R45656.pdf. Starting on page 14 is the CCR section. Most notable is the requirement of community systems over 10,000 population to deliver two CCRs per year. Stay tuned to hear more on this subject as it progresses.

2019 Annual Statistical Report Compliance

Massachusetts public water systems had remarkable compliance with this year's annual statistical report submissions. Only 17 out of 1637 suppliers did not submit an ASR as required. That equates to 99% compliance which is quite an impressive rate. The Drinking Water Program is taking enforcement against the non-complying systems.

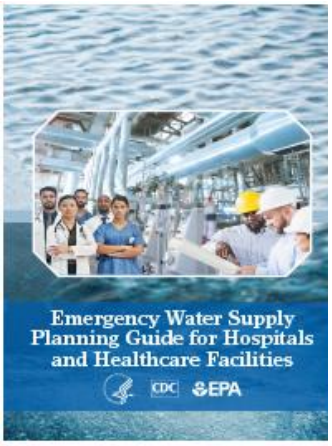
New Form available to assist PWS to notify DWP of the application of algaecides containing copper to a reservoir or tributary

A form was created as a result of requests for a template for public water suppliers to use to comply with 310 CMR 22.20B(8): "No person shall apply herbicide to any surface water body including but not limited to any reservoir and their tributaries, which serve as a source of public water supply without a permit issued by the Department pursuant to M.G.L. c. 111, s 5E. This requirement does not apply to the application of algaecides containing copper by the public water system. However, the public water system shall notify the Department in writing prior to the application of such algaecides."

The new *Notification of Copper Algaecide Application* form and the existing, updated *Reminders for Massachusetts Public Water Systems Applying Pesticides to Reservoirs* are attached and also posted at https://www.mass.gov/lists/source-water-protection-forms-and-templates, under "Forms" and at https://www.mass.gov/lists/groundwater-wellhead-protection-and-surface-water-supplies, under "Surface Water Supplies" respectively.

2019 Emergency Water Supply Planning Guide
for Hospitals and Healthcare Facilities

You may wish to share this information with your local hospitals and health care facilities. During water system interruptions, the operation of health care facilities is severely interrupted and capability can be almost completely degraded within two hours. In order to maintain daily operations and patient care services, health care facilities need to develop a water supply plan in advance of an emergency. Several types of events such as a natural disaster, a failure of the community water system, construction damage, or even an act of terrorism can cause water supply interruption. Because water supplies can and do fail, it is imperative to understand and address how patient safety, quality of care, and the operations of your facility will be impacted.



This 2019 revised guide can provide a road map for health care facilities to prepare for, respond, and recover from a total or partial water supply interruption by providing the guidance to assess water usage, response capabilities, and water supply alternatives.

The planning guide was published as a collaborative effort between the Centers for Disease Control (CDC), the Environmental Protection Agency (EPA) and the American Water Works Association (AWWA).
https://www.cdc.gov/healthywater/emergency/ewsp.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fhealthywater%2Femergency%2Fpreparedness-resources%2Fdrinking-water-advisory.html

EPA - Resilient Strategies Guide Updated

The *Resilient Strategies Guide* assists water utilities in developing their plans to respond to, and prepare for, challenges to their operations and infrastructure.

The latest update to the Guide supports access to funding and financing sources for the strategies that they select to help address their improvement and efficiency priorities and reach their resilience goals.

Check out the Guide

Training - Workforce Planning and Water System Collaboration

October 1, 2019 | 8:30am-4:00pm
Sponsored by Environmental Finance Center
MassDEP Central Regional Office 8 New Bond St, Worcester, MA 01606 Register Here
5.5 Drinking Water TCHs are approved by Mass DEP (***Course ID # DWT-2019-41)***
Training Free: Meals are the responsibility of the participant.

Running a small system can be challenging. Along with meeting regulatory obligations and satisfying customer expectations, you may have issues with aging infrastructure, limited financial resources, and a lack of staff capacity. Partnership-building and workforce development strategies can help you identify collaboration opportunities to benefit your system while also ensuring that you attract and retain a strong internal team. These strategies can also provide a basis for better utility management and planning.

In this workshop, we will discuss approaches to system collaboration and workforce planning including:

- Personnel sharing
- Leveraging shared purchasing power
- How to prepare your utility for knowledge or technology transfer
- Analyzing gaps in your current workforce
- Maintaining a workplace culture that attracts qualified applicants and partners
- Recruiting and working with younger generations
- Preparing for retirements with succession planning tips

Trainer: Khris Dodson – *Associate Director,* Syracuse University Environmental Finance Center and Hayley Hajic, *Research Scientist*, Southwest Environmental Finance Center at the University of N M
Contact: Jes Eckerlin, jeschn01@syr.edu

Training - Managing your Water System into the Future

October 17, 2019 9:00am-4:30pm Register Online
Portland, ME 04103
Sponsored by Environmental Finance Center

This workshop will cover skills and information to help you manage your water system successfully now and into the future. Topics include:

- Have the right people to run your system

- Ensure you get the longest life out of your infrastructure and have a plan to replace it
- Have the money you need for operations and capital
- Communicate these plans and financial needs to decision makers and the public

Contact: Allison Perch, perch@sog.unc.edu

Spam

Please be reminded that official emails from MassDEP will never come from a Hotmail or any other personal account. If you receive an email of this nature, the email is spam. Do not click on the links, and delete it immediately. To safeguard yourself only click open emails that have XXXXX.XXXX@mass.gov.

Training

When you need training please look at the training calendar located at:
http://www.mass.gov/eea/agencies/massdep/water/drinking/drinking-water-training-class-schedules.html for upcoming trainings.
If you need a refresher on recently given trainings, you can review several training videos located at:
https://www.youtube.com/playlist?list=PLJn2AKOcYr7lutGJB-UfDKtQPF_o_249m
or click here: YouTube

MassDEP is sending this important drinking water information to all PWS responsible persons who are listed on the state database. If you are no longer the correct responsible person for the PWS please reply with the correct contact information. MassDEP needs one responsible contact person from each PWS.

Operators, consultants, and others who are interested in Drinking Water Program updates are encouraged to request to be subscribed to this email list. You may also request to be unsubscribed by replying to this email.

This MassDEP Program Director technical assistance email is funded by the Safe Drinking Water Act Assessment (Section 70) Program. The Assessment is paid by all consumers of public water in Massachusetts and is collected by public water systems. For more information about the Assessment Program, go to http://www.mass.gov/eea/agencies/massdep/news/advisory-committees/safe-drinking-water-act-assessment-advisory-committee.html.

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https://iwpnews.com/

By Lara Beaven, Senior Editor

Awaiting EPA Rule, States Outline Options for Lead Service Line Surveys

August 26, 2019
State drinking water regulators have developed guidance on how to identify lead-containing drinking water service lines ahead of the release in the coming weeks of EPA's proposal to update its lead and copper rule (LCR) which is expected to require utilities to map the location of such pipes to help prioritize the most corrosive lines for replacement.

The white paper, from the Association of State Drinking Water Administrators (ASDWA), presents several options for states to conduct the lead service line (LSL) surveys but notes that not all of these recommendations may be feasible for a state to carry out during development and implementation of an LSL inventory.

ASDWA says the paper is based on the experiences of fewer than one dozen states that have already conducted voluntary or mandatory surveys of community water systems (CWSs) in response to state legislation.

It notes that in addition to the anticipated requirements in the revised LCR, EPA's 2020 Drinking Water Infrastructure Needs Survey and Assessments will include an estimate of the number of public and private lead service lines as well as an estimate of the costs to replace all lead service lines.
ASDWA's release of the guidance comes as the administration is expected to soon issue its long-awaited LCR. EPA sent its draft proposed LCR to the White House Office of Management and Budget for interagency review June 6, and Administrator Andrew Wheeler said last month that the proposal would be out by the end of August.

Wheeler has said the rule will include a three-step structure that aims to map the country's remaining lead drinking water pipes and model their levels of corrosion before prioritizing the "most corrosive" lines for replacement and will consider mandatory testing of lead levels in drinking water at schools and day care centers.

The rule is expected against a backdrop of growing public concern about the presence of lead in drinking water. In New Jersey, for example, state officials sought commitments from EPA to provide additional assistance to Newark, NJ, where tests showed filters the agency had recommended using were not reducing the high levels of lead.

While it is not clear whether EPA agreed to provide additional resources, days later, local officials were forced to issue billions of dollars in debt to finance service line replacements.

According to local press reports, "Essex County, NJ, will issue a $120 million bond to replace the problematic lead service pipes with copper ones. It drastically speeds up the ongoing project, which was initially scheduled to take eight to 10 years. Now, it's expected to take a year and a half to three years." But local officials cautioned that such an option may not be available to other localities because the county has a rare AAA credit rating that may not be available to other entities.

"The AAA bond rating is an obscure achievement to the public, but today clearly demonstrates why it is so important. Because of our fiscal health, we are able to borrow money at a significantly lower rate that will save Newark upwards of $15-20 million in interest over the life of the bond," said county executive Joseph DiVincenzo, Jr.

Newark has been struggling for some time to address its drinking water problems caused in part by lead service lines, prompting the Natural Resources Defense Council to sue city and state officials last year for alleged violations of federal requirements to limit lead in drinking water.

Survey Burdens

ASDWA previously warned EPA that provisions it was considering including in the proposal could significantly increase state workloads and reduce federal funding for states to administer drinking water regulations as well funding for infrastructure improvements.

And the white paper notes, "In many states, developing and implementing a LSL inventory will be a resource intensive project. Reporting through an online portal and delivering content via a website may pose significant barriers to some states, particularly when IT and computer services are centralized within the state."

For example, California, which is one of four states that currently require LSL surveys, estimates that it has spent 1,800 to 2,700 hours of staff time, or the equivalent of 1.0 to 1.5 full-time employee annual hours on their LSL inventory over about two years.

The other states that require CWSs to provide summaries of their service line materials are Illinois, Michigan and Wisconsin. Wisconsin is a considered a leader in the effort, having required reporting for the portion of the service line owned by regulated CWSs since 2004 and extending the reporting requirement in 2018 to include the portion of the service line not owned by the CWS.

Four states -- Indiana, Massachusetts, North Carolina and Washington -- have conducted voluntary surveys in response to a February 2016 letter from EPA. And Alaska, Louisiana, Kansas and Texas have requested that CWSs submit or update their service line materials.

ASDWA says Indiana, Massachusetts and Washington may serve as good examples for other states on how to conduct voluntary surveys. The white paper says Indiana posted the survey forms in an on-line virtual file cabinet while Massachusetts went a step further and published a report. Washington state went beyond those steps and conducted follow-up interviews with CWSs to refine the estimates and published several reports.

Additionally, California and Ohio required CWSs to submit maps showing where LSLs are likely to be located.

"It's important to recognize that there may be significant barriers to a state developing a mandatory lead service line inventory. A voluntary survey may be the most attainable option for some states," ASDWA says, adding that voluntary programs using best practices can have a response rate covering over 90 percent of service lines, as is the case with Indiana and Washington.
It is not clear how the expected mandate in EPA's revised LCR to survey LSLs may affect those barriers.

ASDWA Recommendations

In general, ASDWA says states should enable CWSs to submit information through an online portal and ask them to identify materials of the entire service line, including who owns which portions. State should provide a means to address uncertainty of service line material and provide detailed guidance on how to account for and capture lead components of a service line due to the numerous service line configurations that may involve some lead components, such as partial lead service lines, pigtails, goosenecks and solder.

Especially in the first round of reporting, states should follow up with CWSs that fail to report and analyze the information submitted to identify potential reporting errors or inconsistences. States should also make the reports submitted by individual CWSs publicly available through a user-friendly online portal, indicate those CWSs that have not submitted a report, and provide an option to download al reports submitted in a single file.

States should develop the capability to readily generate summary reports in event of media or public inquiries, the white paper says.

If a state already requires CWSs to submit annual reports for other purposes, it should consider modifying those existing reporting requirements to include service line information.

If a state does not already require annual reports, it should conduct an initial voluntary survey to assess the situation and determine whether additional reporting is needed, the white paper says, noting that where state law allows, there are number of survey tools, such as Survey Monkey, that can simplify data collection. Another option is to collaborate with other organizations, such as a state university of the state section of the American Water Works Association, which represents drinking water utilities, to conduct the survey.

The white paper says a state without annual reports may consider requiring a one-time, preliminary inventory report followed by a comprehensive inventory report a few years later. The comprehensive report would generally expect that service lines of unknown material included in a preliminary report would be estimated as containing or not containing lead. This approach will help the state be prepared to submit an accurate assessment of future state revolving fund needs and potential challenges, ASDWA says.

However, it notes two caveats. A comprehensive report will focus resources on resolving unknowns instead of on replacing the LSLs where they are known to be used. Additionally, an annual report, if part of a regular reporting requirement, will focus attention on making steady progress in replacing LSLs and in resolving the identity of unknown service lines. -- *Lara Beaven*

Reminders for Massachusetts Public Water Systems
Applying Pesticides to Reservoirs

There are several federal, state and local requirements for the application of pesticides to water. Here are reminders for Public Water Systems (PWS).

- ☐ **EPA's Pesticide General Permit:** Public water suppliers that plan to treat a waterbody with pesticides, including algaecides containing copper for algae control, must apply for federal coverage under EPA's Pesticide General Permit. More information is available at https://www.regulations.gov/document?D=EPA-HQ-OW-2015-0499-0102. Contact George Papadopoulos at EPA Region 1 at 617-918-1579 or papadopoulos.george@epa.gov.
- ☐ **MassDEP Drinking Water Regulations:** In 310 CMR 22.20B(8), the Drinking Water Regulations require that: *No person shall apply herbicides to any surface water body including but not limited to any reservoir and their tributaries, which serve as a public water supply without a permit issued by the Department pursuant to MGL Chapter 111, section 5E. This requirement does not apply to the application of algaecides containing copper by the public water system. However, the public water system shall notify the Department in writing prior to the application of such algaecides.*
  The form titled *Notification of Copper Algaecide Application*, located at https://www.mass.gov/lists/source-water-protection-forms-and-templates, shall be submitted to the MassDEP Regional Office *(https://www.mass.gov/service-details/massdep-regional-offices-by-community)* or emailed as a PDF to program.director-dwp@mass.gov.
  - ☐ **The MassDEP license application** to propose to apply chemicals, including pesticides (**other than algaecides containing copper**), to reservoirs, tributaries, or other waters of the Commonwealth is **BRP WM 04**. Pesticides may be used to control algae, weeds and other aquatic nuisances, including zebra mussels or lamprey. BRP WM 04 and instructions are located at https://www.mass.gov/how-to/wm-04-herbicide-application. Notification that a treatment was performed shall be made within 24 hours of treatment. Please contact Robert Kubit at 508-767-2854 or robert.kubit@mass.gov with questions.
- ☐ **Massachusetts Applicator License** -The application of any pesticide to waters of the Commonwealth, including algaecides containing copper, must be conducted by a pesticide applicator that has been appropriately licensed by the Massachusetts Department of Agricultural Resources (MDAR). More information on licensing requirements and MDAR contacts is available at https://www.mass.gov/pesticide-examination-and-licensing.
- ☐ **Local Conservation Commission** - Check with the local Conservation Commission about permitting requirements.
- ☐ **Other Local Authorities** - Check with other local authorities about municipal zoning or non-zoning controls that may apply.
- ☐ **Other Local, State or Federal approvals or permits** - There may be other local, state, or federal approvals or permits required based on the project being proposed.

For harmful algae blooms, see *MassDEP Guidance: Cyanobacteria and Public Water Systems* at https://www.mass.gov/guides/cyanobacterial-harmful-algal-blooms-cyanohabs-water#-additional-guidance-for-public-water-suppliers-(pws)-. Please be aware of any requirements to report fish kills during pesticide applications. A fish kill may be reported any time to the Mass. Environmental Police Radio Room at 1-800- 632-8075. More information is available at https://www.mass.gov/news/report-fish-kills-this-summer. Please use the contact information provided above for specific permit or approval questions or contact the Drinking Water Program at 617-292-5770 or program.director-dwp@mass.gov.

Massachusetts Department of Environmental Protection
Bureau of Water Resources – Drinking Water Program

Notification of Copper Algaecide Application

Form for Public Water Systems to notify MassDEP of the application of algaecides containing copper per 310 CMR 22.20B(8)

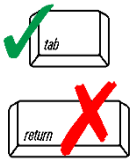
Purpose

To provide a form for public water suppliers to comply with 310 CMR 22.20B(8) by reporting to MassDEP the application of algaecides containing copper to a reservoir or tributary.

310 CMR 22.20B(8): "No person shall apply herbicide to any surface water body including but not limited to any reservoir and their tributaries, which serve as a source of public water supply without a permit issued by the Department pursuant to M.G.L. c. 111, s 5E. This requirement does not apply to the application of algaecides containing copper by the public water system. However, the public water system shall notify the Department in writing prior to the application of such algaecides."

Instructions

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Complete and return this form to your MassDEP regional office or electronically as a PDF to program.director-dwp@mass.gov prior to applying the algaecide. This form is located online at https://www.mass.gov/lists/source-water-protection-forms-and-templates.

We encourage you to read MassDEP's PWS Applying Pesticides to Reservoirs at https://www.mass.gov/doc/applying-pesticides-to-reservoirs-checklist-0. For harmful algae blooms, please see MassDEP Guidance: Cyanobacteria and Public Water Systems at https://www.mass.gov/guides/cyanobacterial-harmful-algal-blooms-cyanohabs-water#-additional-guidance-for-public-water-suppliers-(pws)-. Please be aware of any requirements to report fish kills during pesticide applications. A fish kill may be reported any time to the Mass. Environmental Police Radio Room at 1-800-632-8075. More information is available at https://www.mass.gov/news/report-fish-kills-this-summer.

Algaecide Application Information

PWS Name _____ PWS ID # _____

Street Address _____

PWS Contact Name _____ Telephone _____ Email Address _____

Name of water body (tributary and/or reservoir) _____ PWS Source ID # (if applicable) _____

Aquatic Vegetation/Problem (describe):

_____

☐ The algaecide being applied contains copper (check if yes).

Massachusetts Department of Environmental Protection
Bureau of Water Resources – Drinking Water Program

Notification of Copper Algaecide Application

Form for Public Water Systems to notify MassDEP of the application of algaecides containing copper per 310 CMR 22.20B(8)

☐ The algaecide is being applied by a pesticide applicator that holds an appropriate and current license from the Massachusetts Department of Agricultural Resources (check if yes).

Date(s) of Application

Describe the extent of proposed treatment – such as entire water body; shoreline; partial (note locations); distance from drinking water intake; etc.

Certification

I certify under penalty of law that I am the person authorized to fill out this form and the information contained herein is true, accurate and complete to the best of my knowledge and belief.

Print PWS Contact Name

Title of PWS Contact

Signature of PWS Contact

Date

Reminders for Massachusetts Public Water Systems
Applying Pesticides to Reservoirs

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- ☐ **EPA's Pesticide General Permit:** Public water suppliers that plan to treat a waterbody with pesticides, including algaecides containing copper for algae control, must apply for federal coverage under EPA's Pesticide General Permit. More information is available at https://www.regulations.gov/document?D=EPA-HQ-OW-2015-0499-0102. Contact George Papadopoulos at EPA Region 1 at 617-918-1579 or papadopoulos.george@epa.gov.
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EPA United States Environmental Protection Agency

Lead is a toxic metal that is harmful to human health. EPA remains committed to protecting children from the lifetime impacts of lead. A top priority for EPA is to work with states and communities to modernize the outdated water infrastructure on which the American public depends on and may be a source of lead in drinking water.

Upcoming Webinars

2:00pm – 3:30pm ET

December 5, 2019
Focus on small water systems, speakers TBD

Lead Service Line Identification and Replacement

Case Studies Webinar Series

EPA is hosting a quarterly webinar series to highlight challenges and successes in lead service line identification and replacement programs at utilities and states across the country.

Webinar #3 – Focus on Large Utilities
Thursday, September 5, 2019 2:00 – 3:30 pm ET

Featuring speakers from:

Central Arkansas Water, Little Rock AR

Louisville Water Company, Louisville KY

How do I register?

Registration links and recordings can be found here:

https://www.epa.gov/dwreginfo/lead-service-line-identification-and-replacement-webinars

Who should attend?

States, primacy agencies, water utilities, technical assistance providers and those seeking information about implementing a lead service line replacement program in their community.

Where do I find more information?

For questions, comments, or feedback regarding the webinars, please contact:
OGWDWProtectionTraining@epa.gov

To view more examples of lead service line replacement programs around the country, including an interactive map, please see EPA's Leaders in Lead Service Line Replacement webpage:
https://www.epa.gov/ground-water-and-drinking-water/leaders-lead-service-line-replacement